



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/035,952 | 12/26/2001 | Rozsa Kovesdi | 11326-0003-999 | 3522 |
| 20583 | 7590 | 12/16/2003 | EXAMINER | |
| PENNIE AND EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, NY 100362711 | | | KOYAMA, KUMIKO C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2876 | |

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 10/035,952 | Applicant(s) KOVESDI ET AL. | |
| | Examiner Kumiko C. Koyama | Art Unit 2876 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Acknowledgement is made of receipt of Response filed on September 18, 2003 by the first attorney, Mr. Rattan Nath from Pennie & Edmonds LLP.
2. Acknowledgement is made of receipt of supplemental Response filed on September 22, 2003 by the first attorney, Mr. Rattan Nath from Pennie & Edmonds LLP, concerning the communication between Mr. Rattan Nath and Mr. Rodger L. Tate from Huton & Williams.
3. The reply filed on September 18, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The Amendment filed on September 18, 2003 lacks signature from an inventor's representative Mr. Rodger L. Tate, or from Hunton & Williams. The supplemental response filed on September 22, 2003 is not considered as a signature from Mr. Rodger L. Tate because the supplemental response only shows a correspondence between the two representatives, Mr. Rattan Nath from Pennie & Edmonds LLP and Mr. Rodger L. Tate from Hunton & Williams, and does not represent a signature for the Amendment filed on September 18, 2003. Appropriate signatures from both representatives are required for consideration of Amendment. See MPEP § 402.10 and 403 as well as 37 CFR 1.33. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

4. The following is a courtesy copy of the previous Office Action mailed March 18, 2003.

Claim Objections

5. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 23, 24, 25...69, 70, 71 have been renumbered 22, 23, 24...68, 69, 70 respectively.

Double Patenting

6. A rejection is based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

7. Claims 1-31, 33-42 and 45-70 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 1-70 of copending Application No. 09/987597. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 18, 19, 21, 22, 31, 34, 38, 54 and 58 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu (US 5,480,306, as cited by the Applicant).

Liu teaches a method and apparatus for providing information relevant to a physical world by reading a bar code associated with a sound data and the code is converted into a memory address pointer pointing to the initial address of the memory area in which the digital sound or pronunciation is stored and the sound applied to a loud speaker system (col 2 lines 35+). Liu teaches that the bar code is printed on visible media, such as paper and plastic slides. The conversion from the bar code to the digital code then to an address pointer is considered be normalizing a read object label associated with object into an object identifier as discussed above. And placing the object identifier into an index table repository and binding the content to the object identifier are taught in Fig 5A and Fig 5B.

Re claim 19: Liu teaches that the language learning apparatus contains a digital sound data memory means (col 6 lines 30-32).

Re claim 54: Liu teaches that the memory control means 5 may properly retrieve the desired digital speed data of the word from the memory means 6, which inherently shows that there is not pattern or sequential order for accessing, therefore it is randomly accessible.

Re claim 58: The apparatus is a purpose build device targeted to read bar code.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-5, 9, 13, 16, 29, 30, 39-42, 59, 60, 63-64 and 66-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 5,480,306) in view of Savchenko et al (US 6,111,567).

Liu teaches a method and apparatus for reading a bar code associated with a sound data and the code is converted into a memory address pointer pointing to the initial address of the memory area in which the digital sound or pronunciation is stored, converted to an analog signal, and the sound applied to a loud speaker system (col 2 lines 35+). The apparatus 10 is considered to be a circuitry. Liu teaches that the bar code is printed on visible media, such as paper and plastic slides. Liu teaches that the apparatus having a memory and a speaker means for outputting the sound (col 6 lines 22-59).

Liu fails to teach a method for authoring information and a system for authoring the content.

Savchenko teaches methods of authoring multimedia titles (col 1 lines 8-10).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order

Art Unit: 2876

to create a well organized system so that minimal memory is utilized, but at the same time provide a good quality sound and maintain the flow of the music or sound produced.

Re claim 2 and 3: Liu fails to teach that the system for authoring content is resident in the apparatus.

Savchenko teaches that the execution instructions for the authoring tool are contained in the memory (col 4 lines 39-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to provide a multifunctional apparatus so that the user may author and playback the sound according to his/her preference utilizing only one apparatus, which avoids complicated connections between multiple devices.

Re claim 9: Liu fails to teach that the step of storing the content in non-volatile memory resident in the apparatus.

Savchenko teaches that a computer application 42 is stored in the non-volatile memory 34 (col 4 lines 37-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to safely store the content so that the content is not easily changed or modified by others.

Re claim 13: Savchenko further teaches a computer readable storage media having instructions for authoring information (col 4 lines 39-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order

to speed up the process by storing all the instruction in the memory and have the processor access and execute the instructions instead of loading or inputting the instructions one-by-one by the user.

Re claim 16, 29 and 30: In addition to Liu as modified by Savchenko discussed above, the conversion from the bar code to the digital code then to an address pointer is considered be normalizing a read object label associated with object into an object identifier as discussed above. And placing the object identifier into an index table repository and binding the content to the object identifier are taught in Fig 5A and Fig 5B.

Re claim 42: Liu teaches that rendering digital multimedia as a function of output capabilities of the apparatus (col 6 lines 50-58).

Liu fails to teach programming that renders digital multimedia as a function of output capabilities.

Savchenko teaches a computer application 42 that executes instructions (col 4 lines 36-45).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to provide the proper sound signal that matches the output characteristics of the apparatus so that the user can listen to a good quality sound with less background noise and interruption.

Re claim 63: Liu teaches that a keyboard for inputting information (col 1 lines 13-25).

12. Claims 6 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 above and Liu as applied to claim 18, and further in

Art Unit: 2876

view of Cave (US 5,958,014). Liu as modified by Savchenko and Liu have been discussed above.

Liu as modified by Savchenko and Liu fail to teach that the content is a link to a live agent.

Cave teaches device having audio capabilities and can be connected to a live agent (col 1 lines 65+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cave to the teachings of Liu as modified by Savchenko in order to provide a two-way audio or text exchange to communicate with each other without remembering or dialing numbers, which also makes the process faster.

13. Claims 7, 14, 36, 37, 49 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 and 13 above and Liu as applied to claim 38, and further in view of Conley, Jr. et al (US 6,434,745).

Liu teaches receiving a plurality of optical codes (col 7 line 45).

Therefore, it would have been obvious to utilize the steps of Liu as modified by Savchenko and repeat steps for as many coded labels necessary because it is a mere duplication of process.

Liu as modified by Savchenko fails to teach aggregating the content into a single logical entity called a tour.

Conley teaches that a tour component of the browser 8 allows the end-user to identify one or more URLs and save them into a group called a tour and to create one or more such tours, and

Art Unit: 2876

to save each tour to a searchable local tour database on the end-user computer 14 similar to the searchable local image database.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Conley to the teachings of Liu as modified by Savchenko in order to organize the data so that related data are grouped in the same group. Such modification helps and speeds up the searching process when the data needs to be retrieved because the data are

14. Claims 8, 15, 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 and 13 above and Liu as applied to claim 31 above, and further in view of Brooks et al (US 4,963,719).

Liu as modified by Savchenko fails to teach detecting a second label associated with the first object and normalizing the first label and the second label such that the content bound to the first object can be rendered during detection of either the first or second label in the playback mode.

Brooks teaches two labels associated with the same object, two labels attached to an object and detecting two of the labels (Fig 2, col 2 lines 26+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Brooks to the teachings of Liu as modified by Savchenko so that plurality of bar code labels having the same sound or data may be provided on different or multiple appliances for duplication or convenience purposes.

15. Claim 10, 11, 12, 20, 25, 45-47 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 and 64 above and over

Art Unit: 2876

Liu as applied to claim 18, 38 above, and further in view of Cluts (US 5,616,876). Liu as modified by Savchenko and Liu have been discussed above.

Re claim 10, 20, 45 and 65: Liu as modified by Savchenko and Liu fail to teach a step of uploading and downloading the content to a remote server.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because a remote server may provide more memory or storage space, which allows more data and information to be stored.

Re claim 11 and 47: Liu as modified by Savchenko fails to teach that the step of uploading is performed via a wireless network.

Cluts teaches a communication link is wireless (col 7 lines 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because it does not require wired connection, therefore provides mobility and convenience.

Re claim 12 and 46: Liu as modified by Savchenko fails to teach that the step of uploading is performed via a wired network.

Cluts teaches a communication link is wired (col 7 lines 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by

Art Unit: 2876

Savchenko because the possibility of data loss or corruption in transferred data decreases, therefore the modification provides a more accurate transmission of the data.

Re claim 25: Liu fails to teach that the step of rendering the content comprises streaming the content from a remote server.

Savchenko teaches rendering the content comprise streaming the content (col 1 lines 28-31).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to transmit the sound file through communication links using industry standards, such as MPEG standards.

Liu as modified by Savchenko fails to teach a remote server.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because a remote server may provide more memory or storage space, which allows more data and information to be stored.

16. Claims 17, 62 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claims 16, 59 and 64 above, and further in view of Bridgelall (US 6,264,106). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fail to disclose that the instructions allow a plurality of different label types to be normalized to one object identifier.

Art Unit: 2876

Bridgelall teaches a combination bar code scanner/RFID circuit for reading bar code or RFID (col 2 lines 20+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Bridgelall to the teachings of Liu as modified by Savchenko because bar code and RFID tags are commonly known forms of identification and combining those two functions into one device will provide the flexibility of reading different types of codes.

17. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 18 above, and further in view of Fan et al (US 6,324,165). Liu has been discussed above.

Liu fails to teach determining the current time and comparing the current time to the timestamp before rendering the content.

Fan teaches a timer issuing a current time and a comparator for comparing the queue timestamp to the current time (col 27 lines 7-12).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Fan to the teachings of Liu in order to provide a data that corresponds to the current time by checking to see if the current time and timestamp corresponds to each other.

18. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 18 above, and further in view of Boulton et al (US 5,566,291). Liu has been discussed above.

Liu further teaches that the language learning apparatus contains a digital sound data memory means (col 6 lines 30-32).

Liu fails to teach that the steps of accepting annotations/feedback after the rendering of the content and binding the annotations/feedback to the object identifier.

Boulton teaches an object identifier field 200 that stores an object identifier which references an object the user may be referencing with his or her feedback information. In Boulton's feedback system, objects can be used to further define the context when the feedback is provided (col 25 lines 55+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Boulton to the teachings of Liu in order to enhance the content and provide a better quality sound, image, etc. to the user by editing or making additional comments to the content.

19. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Boulton as applied to claim 26 above, and further in view of Cluts.

Liu as modified by Boulton fails to disclose the step of storing the annotations/feedback in a remote memory.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Boulton because a remote server may provide more memory or storage space, which allows more data and information to be stored.

Art Unit: 2876

20. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 31 above, and further in view of Swartz et al (US 6,095,418). Liu has been discussed above.

Liu fails to teach that at least one of the plurality of labels is custom created.

Swartz teaches translating the MIDI code to a symbol data and to music print data. The printer 26 then prints the symbol data as symbol 14.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Swartz to the teachings of Liu in order to provide custom created bar code so that information regarding the content's location within the database or other information may be encoded according to the program or application that is used for the system.

21. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 38 above, and further in view of Hollander (US 4,037,302) and Blum (US 4,654,727). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fail to teach that the physical world comprises labeled locations containing labeled mobile objects and the labeled locations are used to determine proximity of the labeled mobile objects.

Holland teaches labeled locations, such as labeled bin or labeled shelf (col 4 lines 48-51).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Holland to the teachings of Liu as modified by Savchenko in order to identify the purpose, use or the physical description of the location of the labeled location so that the locations can easily and quickly identified.

Blum teaches that a bar code label on the cassette is read by a bar code reader in order to enable a computer control system to determine the location of the cassette and control the subsequent transport of cassettes to the tape transports (col 1 lines 40-45).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Blum to the teachings of Liu as modified by Savchenko in order to quickly and easily determine the location of the object by using the bar code label as a tracking method, which also avoids the object from getting lost.

22. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko and Cluts as applied to claim 47 above, and further in view of Aguirre et al (US 6,195,531). Liu/Savchenko/Cluts have been discussed above.

Liu/Savchenko/Cluts fails to teach that the wireless network comprises a cellular telephone network.

Aguirre teaches a cellular telephone network (col 3 lines 26-40).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Aguirre to the teachings of Liu/Savchenko/Cluts because it is a widely used wireless network method for providing a safe and reliable data transmission, which enhances the accuracy of the data being transmitted.

23. Claims 50 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Cole et al (US 6,359,711). Liu have been discussed above.

Liu fails to disclose that the apparatus accesses the tour via the internet and a voice portal.

Cole teaches a portable computer with access methods of voicemail and internet (col 2 lines 10-15).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cole to the teachings of Liu because it is a fast method to communicate and transmit data using a conventional phone line, which is commonly available.

24. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Aguirre and Cole.

Liu fails to teach that the apparatus accesses the tour via a cellular telephone voice mailbox.

Aguirre teaches a cellular telephone network (col 3 lines 26-40).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Aguirre to the teachings of Liu/Savchenko/Cluts because it is a widely used wireless network method for providing a safe and reliable data transmission, which enhances the accuracy of the data being transmitted.

Cole teaches a portable computer with access methods of voicemail and internet (col 2 lines 10-15).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cole to the teachings of Liu because it is a fast method to communicate and transmit data using a conventional phone line, which is commonly available.

Art Unit: 2876

25. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Krueger (US 5,598,540). Liu has been discussed above.

Liu fails to teach that the digital multimedia is accessible by the apparatus in a sequential order.

Krueger teaches accessing the stored data only in sequential order (Abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Krueger to the teachings of Liu in case presentation of the digital multimedia must be in a certain order for the user to understand certain topics before achieving the next data so that the next data makes more sense to the user.

26. Claims 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Ramachandran (US 6,315,195). Liu has been discussed above.

Liu fails to teach that the apparatus comprises a personal digital assistant and a cellular telephone.

Ramachandran teaches a portable terminal 14 that reads bar codes and also may be integrated into a carrier 62, which may be a personal digital assistant or a cellular phone (col 8 lines 23-26, col 9 lines 35-42).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Ramachandran to the teachings of Liu because both personal digital assistant and cellular phones have the capability of storing information and also wirelessly transmitting information through internet and other communication methods, which enhances the voice data and play back as well.

Art Unit: 2876

27. Claims 61 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 59 and 64 above, and further in view of Chen et al (US 5,869,820). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fails to teach that the circuitry comprises an IR tag reader.

Chen teaches an infrared tag reader (col 8 line 5).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Chen to the teachings of Liu as modified by Savchenko because IR tags are readily available tags that are also used for identification purposes and it utilizes wireless communication, which provides mobility and faster process.

28. Claim 69 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 64 above, and further in view of Bertram et al (US 5,613,137). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fails to teach a circuitry determining a coordinate location.

Bertram teaches a coordinate determining circuitry 302 configured to determine corresponding locations of the touch on the coordinate sensor (col 15 lines 20-28).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Bertram to the teachings of Liu as modified by Savchenko in order to determine the location of the touch pad sensor input that provides the information regarding the identification of the content to be retrieved and played back.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Savchenko et al., U.S. Patent No. 6,343,298, discloses a seamless multimedia branching.

Kikuda, U.S. Patent No 4,952,785, discloses a bar code generating apparatus for image communication terminal device.

Raistrick et al., U.S. Patent No. 5,971,279, discloses a hand held scanner for the visually impaired.

Citron et al., U.S. Patent No. 5,288,976, discloses a bar code use in information, transactional and other system and service applications.

Kunizawa et al., U.S. Patent No. 4,964,167, discloses an apparatus for generating synthesized voice from text.

Knowles discloses a hand-held portable www access terminal with visual display panel an gui-based www browser program integrated with bar code symbol reader in a hand-supportable housing.

Hoda et al., U.S. Patent No. 4,831,610, discloses method and apparatus for interactive control of a data recording medium playback apparatus using bar code access.

Barton et al., U.S. Patent No. 5,998,752, discloses a sorting system.

Dyko et al, U.S. Patent No. 5,956,708, discloses an integration of link generation cross-author user navigation, and reuse identification in authoring process.


Art Unit: 2876


Wilz, Sr. et al., U.S Patent No. 5,992,752, discloses an internet-based system for enabling information-related transactions over the internet using java-enabled internet terminals provided with reading java-applet encoded bar code symbols.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 703-305-5425. The examiner can normally be reached on Monday-Friday 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Kumiko C. Koyama
December 03, 2003


DIANE I. LEE
PRIMARY EXAMINER